LOCAL AND LEGISLATIVE SECRETARIAT.

No. P. 5749—*Cts.* 124-23-5, *dated* 12*th April* 1924.

Under the provisions of Rule 2, Order XVI, of the Code of Civil Procedure, 1911, the Government of His Highness the Maharaja of Mysore are pleased to prescribe the following rates of batta to witnesses in civil cases, in supersession of those prescribed in Notifications No. J. 4361—Cts. 146-21-6, dated 15th March 1922 and P. 504—Cts. 261-22-4, dated 25th July 1923:—

2. Witnesses will be divided into four classes—

Fourth Class.—Persons whose monthly income is below Rs. 50.

Third Class.—Persons whose monthly income is Rs. 50 and above but below Rs. 100.

Second Class.—Persons whose monthly income is Rs. 100 and above but below Rs. 250.

First Class.—Persons whose monthly income is Rs. 250 and above.

3. The following will be the scale of allowances to witnesses:—

Class of witness	Travelling allowance for journey to and from court-house where the latter is in a different station from that of the witness			Subsistence allowances including expenses per day
	By rail	By road		
		Where there is a public conveyance such as a motor bus plying for hire	Where there is no public conveyance plying for hire	
Fourth class ..	Single lowest class fare.	Single lowest-class fare ..	Half anna per mile or if witness is unable to walk one anna per mile.	Eight annas
Third class ..	Do ..	Do ..	Two annas per mile ..	Do
Second class ..	Single second class.	Single second class or lowest class fare where there are only two classes.	Four annas per mile ..	Twelve annas
First class ..	The presiding Judge of each court may decide and allow single first class fare where he is satisfied that the witness habitually travels by the highest class available in public conveyances, in other cases, single second class only.		Eight annas per mile ..	One rupee eight annas.

NOTE.—1. In special cases where the above rule would work hardship, it shall be discretionary with the Judge to allow a witness such additional sum as he may consider reasonable to cover *bona fide* expenses incurred by him in travelling.

2. For witnesses following any profession such as medicine or law, special allowance according to circumstances may be granted by the Judge for loss entailed upon him by his absence.

3. In the case of European and East Indian witnesses, subsistence allowance for a day will be double of what is shown above.

4. Where the witness resides in the same station where the court house is situated, it will be discretionary with the Judge to allow reasonable hire for conveyance (if one is used) in accordance with the status of the witness instead of the subsistence allowance.

Exception:—Witnesses of the fourth class are not entitled to any travelling allowance, but only to subsistence allowance, in cases in which the distance to be travelled is within five miles of the court house: provided that where a witness of this class is unable to walk owing to infirmity or old age or a conveyance is actually used, the Court may grant a mileage at the usual rates or the actual charges for conveyance whichever is less.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.